## THE HON’BLE SRI JUSTICE R.SUBHASH REDDY

## WRIT PETITION No. 1747 of 2002

**Dated: 18.03.2006**

**Between:**

E.Santosh Goud, S/o Eswaraiah,
R/o H.No.1-141, Karmanghat,
Hyderabad and others.

… **PETITIONERS**

**And:**

The Andhra Pradesh State Road Transport
Corporation, Musheerabad, Hyderabad,
Represented by its Managing Director and others.

…**RESPONDENTS**

## THE HON’BLE SRI JUSTICE R.SUBHASH REDDY

## WRIT PETITION No. 1747 of 2002

## ORDER:

Petitioners, who are the licensees of various stalls/shops in the complexes of Andhra Pradesh State Road Transport Corporation (APSRTC) at Hyderabad, Secunderabad, Medak and Nalgonda Districts' depots, filed this writ petition seeking a Writ of Mandamus directing the respondents to grant exemption to them from payment of licence fee for the strike period from 15.10.2001 to 07.11.2001.

It is the case of the petitioners that a strike was called by the Workers Union of APSRTC during the period from 15.10.2001 to 07.11.2001 and due to the same, they could not do the business during the said period. Therefore, they claim that they are not liable to pay the licence fee during the strike period i.e, from 15.10.2001 to 07.11.2001 and seek exemption in this regard.

It is to be seen that though it is stated by the petitioners that they did not do the business during the strike period, there is no order from any authority for closure of their business during the strike period. The licences were granted to the petitioners subject to certain conditions and in the absence of any such condition for exemption from payment of licence fee during the strike period, no exemption can be granted to the petitioners. Further, the question as to whether the petitioners have conducted the business during the strike period or not cannot be examined in this writ petition filed under Article 226 of the Constitution of India. However, as it is stated that in view of the strike the petitioners suffered loss, I deem it appropriate to dispose of the writ petition directing the respondents not to collect any interest on the licence fee from the petitioners for the period from 15.10.2001 to 07.11.2001. It is however, open to the respondents to take steps for collecting the licence fee for the strike period, in terms of the licences granted to the petitioners in respect of their respective stalls/shops.

Subject to the above directions, the writ petition is disposed of. There shall be no order as to costs.

18.03.2006

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